

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Abdurrahman I. Muhammad

Docket No. 5:14-MJ-2141-1

Petition for Action on Probation

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Abdurrahman I. Muhammad, who, upon an earlier plea of guilty to Level 2 DWI, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge on December 10, 2014, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 8, 2015, the defendant submitted a urine specimen that tested positive for the presence of marijuana. On February 19, 2015, the defendant submitted a urine specimen that tested positive for cocaine. At first, the probation officer thought the marijuana positive might have been the result of residual amounts from prior use; however, after confronting the defendant, he admitted to ongoing marijuana use. When confronted with the test that was positive for cocaine, the defendant denied using cocaine and stated that marijuana was his drug of choice and had, in fact, used marijuana recently. Additionally, the initial results from a urine specimen submitted on March 5, 2015, indicate marijuana use by the defendant. On March 12, 2015, the defendant was referred to and stated he was going to go through the interview process at TROSA, a two-year substance abuse treatment program in Durham, North Carolina. Alternatively, the defendant is being referred to weekly cognitive behavioral therapy, in addition to his current intensive outpatient substance abuse treatment regimen, in the event he does not enter into inpatient treatment. The defendant has also failed to maintain gainful employment during his probationary term. Participating in a cognitive behavioral program will allow the defendant to reflect on his past and also learn how to set realistic goals and achieve them. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office. If the defendant enters into a long-term, inpatient substance abuse treatment program, he may be excused from participating in the cognitive behavioral program during such time he is participating in the substance abuse treatment program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

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Raleigh, NC 27601-1441

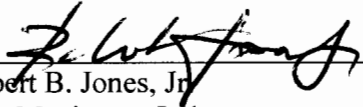
Phone: 919-861-8808

Executed On: March 13, 2015

Abdurrahman I. Muhammad
Docket No. 5:14-MJ-2141-1
Petition For Action
Page 2

ORDER OF THE COURT

Considered and ordered this 13 day of March, 2015 and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge